

State of Kansas
Department of Health and Environment

Public Notice Concerning Kansas / Federal
Water Pollution Control Permits and Applications

State of Kansas
Department of Health and Environment
Division of Environment-Bureau of Water
1000 SW Jackson St., Suite 420
Topeka, Kansas 66612-1367
Telephone: (785) 296-6432 - Ag Permits
(785) 296-5517 - All Others

Public Notice No. KS-AG-06-325/333
KS-06-133/140
KS-EG-06-048/054

Beginning Date: September 14, 2006
Comments Due: October 14, 2006

In accordance with Kansas Administrative Regulations 28-16-57 through 63, 28-18-1 through 15, 28-18a-1 through 32, 28-16-150 through 154, 28-46-7, and the authority vested with the State by the administrator of the U.S. Environmental Protection Agency, various draft water pollution control documents (permits, notices to revoke and reissue, notices to terminate) have been prepared and/or permit applications have been received for discharges to waters of the United States and the state of Kansas for the class of discharges described below.

The proposed actions concerning the draft documents are based on staff review, applying the appropriate standards, regulations and effluent limitations of the state of Kansas and the Environmental Protection Agency. The final action will result in a Federal National Pollutant Discharge Elimination System Authorization and/or a Kansas Water Pollution Control permit being issued, subject to certain conditions, revocation and reissuance of the designated permit or termination of the designated permit.

All Kansas Department of Health and Environment district office addresses and telephone numbers are listed below.

Public Notice No. KS-AG-06-325/333

Pending Permits for Confined Feeding Facilities

Name And Address of Applicant	Legal Description	Receiving Water
Knox Farms Inc. Phillip Knox P.O. Box 278 Brewster, KS 67732	NW/4 of Section 04 T11S, R37W Logan County	Smoky Hill River Basin

Kansas Permit No.: A-SHLG-C003

Federal Permit No.: KS0096296

This is a renewal permit for an existing facility for 2,500 head (2,500 animal units) of cattle weighing greater than 700 pounds.

Hurd Family Farm
LeRoy Hurd
2489 Ferguson Road
Perry, KS 66073

SE/4 of Section 15
T11S, R18E
Jefferson County

Kansas River Basin

Kansas Permit No.: A-KSJF-B002

This is a renewal permit for an existing facility for a maximum of 55 head (55 animal units) of beef cattle greater than 700 pounds and 110 head (55 animal units) of beef cattle 700 pounds or less for a total of 110 animal units.

Floyd Feedyard, Inc.
Gary Floyd
6190 N Road G
Johnson, KS 67855

S/2 of NE/4 of Section 09
T28S, R40W
Stanton County

Cimarron River Basin

Kansas Permit No.: A-CIST-C005

Federal Permit No.: KS0087548

This is a renewal permit for an existing facility for 6,500 head (6,500 animal units) of beef cattle weighing greater than 700 pounds.

Royale Farms, Inc.
Richard Featherston
17520 K-9 Hwy
Whiting, KS 66552

SE/4 of Section 21
T05S, R16E
Jackson County

Kansas River Basin

Kansas Permit No.: A-KSJA-S020

This is a renewal permit for an existing facility that is reducing animal units due to removal of 1,000 head (400 animal units) of swine from the permit. The animal units will change from 800 total animal units to a maximum of 1,000 head (400 animal units) of swine greater than 55 pounds and 800 head (17.1 animal units) of dogs for a new total of 417.1 animal units.

F & R Swine, Inc.
Rob Rahe
10610 Humboldt Creek Road
Dwight, KS 66849

SW/4 of Section 01 &
E/2 of Section 13
T13S, R07E
Geary County

Kansas River Basin

Kansas Permit No.: A-KSGE-H002

Federal Permit No.: KS0116378

This is a permit modification for the addition of a wastewater storage structure. The permitted animal unit capacity of 3,000 animal units (5,700 head of swine weighing more than 55 pounds and 7,200 head of swine weighing 55 pounds or less) shall be unchanged. The new waste storage structure will be located to the south of the existing facility.

F & R Swine, Inc. - Caley Site
Rob Rahe
10610 Humboldt Creek Road
Dwight, KS 66849

SW/4 & W/2 of SE/4
of Section 08
T13S, R08E
Geary County

Kansas River Basin

Kansas Permit No.: A-KSGE-H003

Federal Permit No.: KS0098817

This is a permit for a new facility with a proposed capacity of 4,000 head (1,600 animal units) of swine weighing 55 pounds or more. The proposal includes a pad for composting normal mortality from the facility.

K C Feeders
Division of Crist Feedyard, Inc.
Robert Crist
553 W. Rd 40
Scott City, KS 67871

N/2 of Section 23 &
E/2 of NE/4 of Section 22
T18S, R34W
Scott County

Upper Arkansas
River Basin

Kansas Permit No.: A-UASC-C015

Federal Permit No.: KS0081175

This is a renewal permit with modifications for an existing facility with 20,000 head (20,000 animal units) of beef cattle weighing greater than 700 pounds. Modification was due to a reduction in animal units from 22,500 to 20,000.

Taylor Swine
Lee Taylor
1067 E. 300 Rd.
Phillipsburg, KS 67661

SE/4 of Section 30
T02S, R17W
Phillips County

Solomon River Basin

Kansas Permit No.: A-SOPL-S019

This is a renewal permit for an existing swine facility with a revised animal capacity due to changes in the law requiring hogs weighing 55 pounds to be counted as 0.1 animal units. The facility has a maximum capacity of 980 head (392 animal units) of swine weighing more than 55 pounds and 300 head (30 animal units) of swine weighing 55 pounds or less, for a total of 422 animal units.

Kevin M. Lueger
1433 112th Road
Seneca, KS 66538

SW/4 of Section 24
T03S, R13E
Nemaha County

Kansas River Basin

Kansas Permit No.: A-KSNM-S031

This is a new permit for a new swine facility consisting of one enclosed building. For 1,200 head (480 animal units) of swine greater than 55 pounds. The building will have a concrete pit beneath slotted floors for collecting all produced manure and wastewater.

Public Notice No. KS-06-133/141		
NAME AND ADDRESS OF APPLICANT	WATERWAY	TYPE OF DISCHARGE
Unified Government of Kansas City / Wyandotte Co. 50 Market Street Kansas City, KS 66118	Kansas River	Treated Domestic Wastewater

Kansas Permit No. M-KS27-RO20 Federal Permit No. KS0080195
Legal: NW¼, S32, T11S, R24E, Wyandotte County, KS

Facility Name: Kansas City Treatment Plant #20
Facility Location: 2443 S. 88th Street, Kansas City, KS 66111

Facility Description: The proposed action is to modify and reissue an existing permit for operation of an

existing wastewater treatment facility treating primarily domestic wastewater. This facility is a mechanical treatment plant consisting of bar screen and grit removal, primary clarification, activated sludge treatment, final clarification, and UV disinfection of effluent. The proposed permit contains limits for biochemical oxygen demand, total suspended solids, ammonia, fecal coliform and pH. Monitoring of total phosphorus, nitrate, nitrite, total Kjeldahl nitrogen, total nitrogen, total recoverable copper, and effluent flow will also be required. The permittee is required to perform a Chronic Whole Effluent Toxicity (WET) test annually and a Priority Pollutant Scan once during the term of this permit. Contained in the permit is a schedule of compliance requiring the permittee to conduct a study to assess the cost and feasibility of nutrient removal by this facility. The report is to be completed within two years of the effective date of the permit. The permit requirements are pursuant to the Kansas Surface Water Quality Standards, K.A.R. 28-16-28(b-f), and Federal Surface Water Criteria and are water quality based.

Fall River, City of
PO Box 125
Fall River, KS 67047

Fall River via
Unnamed Tributary

Treated Domestic
Wastewater

Kansas Permit No. M-VE17-0001

Federal Permit No. KS0116963

Facility Description: NE¼, SW¼, SE¼, S18, T28S, R13E, Greenwood County, KS

Facility Description: The proposed action is to reissue an existing permit for an existing facility treating primarily domestic wastewater. The proposed permit contains limits for biochemical oxygen demand and total suspended solids. Monitoring of ammonia, fecal coliform, and pH will also be required. The permit requirements are pursuant to the Kansas Surface Water Quality Standards, K.A.R. 28-16-28(b-f), and Federal Surface Water Criteria and are technology based.

Larned, City of
417 Broadway
Larned, KS 67550

Arkansas River

Treated Domestic
Wastewater

Kansas Permit No. M-UA25-0003

Federal Permit No. KS0098752

Facility Description: NE¼, SE¼, NW¼, S4, T22S, R16W, Pawnee County, KS

Facility Description: The proposed action is to issue a new permit for a new facility treating primarily domestic wastewater. This facility will replace an existing facility. The proposed facility consists of bar screen and grit removal, a four basin SBR, UV disinfection of effluent, sludge storage/digestion, and a sludge belt filter press. The proposed permit contains limits for biochemical oxygen demand, total suspended solids, ammonia, fecal coliform, and pH. Monitoring of total phosphorus, nitrate, nitrite, total Kjeldahl nitrogen, total nitrogen, sulfates, chlorides, total recoverable selenium, and effluent flow will also be required. The permit requirements are pursuant to the Kansas Surface Water Quality Standards, K.A.R. 28-16-28(b-f), and Federal Surface Water Criteria and are water quality based.

Madison, City of
PO Box 247
Madison, KS 66860

Verdigris River

Treated Domestic
Wastewater

Kansas Permit No. M-VE26-0002

Federal Permit No. KS0093858

Facility Description: SE¼, S7, T22S, R12E, Greenwood County, KS

Facility Description: The proposed action is to reissue an existing permit for an existing facility treating primarily domestic wastewater. The proposed permit contains limits for biochemical oxygen demand and total suspended solids. Monitoring of ammonia, fecal coliform, and pH will also be required. The permit requirements are pursuant to the Kansas Surface Water Quality Standards, K.A.R. 28-16-28(b-f), and Federal Surface Water Criteria and are technology based.

Marion, City of
208 E. Santa Fe
Marion, KS 66861

Mud Creek

Process Wastewater

Kansas Permit No. I-NE45-PO03

Federal Permit No. KS0098795

Legal: NW¼, NW¼, SW¼, S32, T19S, R4E, Marion County, KS

Facility Name: Marion Water Treatment Plant

Facility Description: The proposed action is to issue a new permit for a wastewater discharge from an existing water treatment plant. Wastewater from the two clarifier basins, filter-to-waste, filter backwash and miscellaneous drains is discharged to a two-cell wastewater treatment lagoon system. The proposed permit includes limits for total suspended solids and pH as well as monitoring of total residual chlorine and sludge levels in lagoon cells. Contained in the permit is a schedule of compliance requiring the permittee to obtain the services of a laboratory or become KDHE-field certified to field-test for total residual chlorine and pH. The permit requirements are pursuant to the Kansas Surface Water Quality Standards, K.A.R. 28-16-28(b-f), and Federal Surface Water Criteria and are water quality based.

Montgomery County Commission
PO Box 446
Independence, KS 67301

Verdigris River via
Unnamed Tributary

Treated Domestic
Wastewater

Facility Name: Montgomery County S.D. #5 (Sycamore)

Kansas Permit No. M-VE40-OO01

Federal Permit No. KS0086193

Facility Description: SW¼, SE¼, SW¼, S19, T31S, R16E, Montgomery County, KS

Facility Description: The proposed action is to reissue an existing permit for an existing facility treating primarily domestic wastewater. The proposed permit contains limits for biochemical oxygen demand and total suspended solids. Monitoring of ammonia, fecal coliform, and pH will also be required. The permit requirements are pursuant to the Kansas Surface Water Quality Standards, K.A.R. 28-16-28(b-f), and Federal Surface Water Criteria and are technology based.

Windom, City of
PO Box 38
Windom, KS 67491

Little Arkansas River
via Unnamed Tributary

Treated Domestic
Wastewater

Kansas Permit No. M-LA18-OO01

Federal Permit No. KS0051721

Facility Description: NW¼, NE¼, NE¼, S30, T19S, R5W, McPherson County, KS

Facility Description: The proposed action is to reissue an existing permit for an existing facility treating primarily domestic wastewater. The proposed permit contains limits for biochemical oxygen demand,

total suspended solids, and fecal coliform. Monitoring of ammonia, chlorides, total recoverable copper, and pH will also be required. The permit requirements are pursuant to the Kansas Surface Water Quality Standards, K.A.R. 28-16-28(b-f), and Federal Surface Water Criteria and are water quality based.

Ricci Mining, LLC
PO Box B
Pittsburg, KS 66762

Deer Creek via
Unnamed Tributary

Pit De-Watering and
Stormwater Runoff

Facility Name: Fleming Mine 19

Kansas Permit No. I-NE75-PO01

Federal Permit No. 0095613

Legal Description: S4 and S5 T33S, R22E, Cherokee County, KS

Facility Description: The proposed action is to reissue an existing permit for an existing facility. Reclamation of mined land and coal from coal waste of the previous mining operation (remining) is achieved by on-site processing through a coal washing plant. Outfall 001 consists of wash water (Outfall 001A), mine pit dewatering and uncontaminated stormwater. A series of settling ponds removes suspended solids prior to the water being recycled or discharged. Outfalls 002 and 003 can discharge stormwater from either remining or post mining reclamation areas. The proposed permit contains limits for total recoverable iron, total suspended solids, settleable solids and pH, as well as monitoring of sulfate, rainfall amounts, and effluent flow. Contained in the permit is a schedule of compliance requiring the permittee to annually submit maps reflecting updated outfall locations and the status of the mining areas and associated pollution controls. The permit also requires that a Stormwater Pollution Prevention Plan be developed and implemented within one year of the effective date of the permit. A variance from KDHE liner regulation, KAR 28-16-160 et seq., to construct a clay liner for the sedimentation and recycle system has been received by KDHE and granted by the Secretary of the Department of Health and Environment under KAR 28-16-174. The permit requirements are pursuant to the Kansas Surface Water Quality Standards, K.A.R. 28-16-28(b-f), and Federal Surface Water Criteria and are water quality based.

Public Notice No. KS-EG-06-048/054

In accordance with K.A.R. 28-46-7 and the authority vested with the State by the administrator of the U.S. Environmental Protection Agency, draft permits have been prepared for the use of the well(s) described below within the State of Kansas.

NAME AND ADDRESS OF APPLICANT

Cargill, Inc.
PO Box 1403
Hutchinson, KS 67501

Facility Location: Hutchinson, KS

Well and Permit Number	Location
K1 KS-03-155-211	4430 feet from south line and 2965 feet from east line of Section 19-23-5W, Reno County, KS (SE,NE,NW)
K2 KS-03-155-212	4130 feet from south line and 2965 feet from east line of Section 19-23-5W, Reno County (SE NE NW)
K3 KS-03-155-213	3730 feet from south line and 2965 feet from east line of Section 19-23-5W, Reno County (NE SE NW)

K4 KS-03-155-214	3430 feet from south line and 2965 feet from east line of Section 19-23-5W, Reno County (NE SE NW)
K5 KS-03-155-215	3130 feet from south line and 2965 feet from east line of Section 19-23-5W, Reno County (SE SE NW)
K6 KS-03-155-216	2830 feet from south line and 2965 feet from east line of Section 19-23-5W, Reno County (SE SE NW)
K7 KS-03-155-217	2530 feet from south line and 2965 feet from east line of Section 19-23-5W, Reno County, (NE NE SW)

Facility Description: The proposed action is to reissue the permits for Class III salt solution mining wells at the locations described above. The fluids to be injected consist of fresh water and weak brine. Injection is to be made into the Hutchinson Salt member of the Wellington formation. Cavity development shall not extend into the upper 40 feet of the salt member. The maximum operational injection pressure is not to exceed 150 pounds per square inch at the wellhead. The monitoring and operation of these wells shall meet the requirements that apply to Class III Injection wells under K.A.R. 28-43-1 through 28-43-11 and the Kansas Underground Injection Control Regulations, K.A.R. 28-46-1 through 28-46-52.

Persons wishing to comment on or object to the draft documents and/or permit applications must submit their comments in writing to the Kansas Department of Health and Environment if they wish to have the comments or objections considered in the decision making process. Comments or objections should be submitted to the attention of Livestock Waste Management Section for agricultural related draft documents or applications, or to the permit clerk for all other permits, at the Kansas Department of Health and Environment, Division of Environment, Bureau of Water, 1000 SW Jackson St., Suite 420, Topeka, Kansas 66612-1367.

All comments regarding the draft documents or application notices received on or before **October 14, 2006**, will be considered in the formulation of final determinations regarding this public notice. Please refer to the appropriate Kansas document number (KS-AG-06-325/333, KS-06-133/141, KS-EG-06-048/054) and name of the applicant/permittee when preparing comments.

After review of any comments received during the public notice period, the Secretary of Health and Environment will issue a determination regarding final agency action on each draft document/ application. If response to any draft document/ application indicates significant public interest, a public hearing may be held in conformance with K.A.R. 28-16-61 (28-46-21 for UIC).

All draft documents / application and the supporting information including any comments received are on file and may be inspected at the offices of the Kansas Department of Health and Environment, Bureau of Water, 1000 SW Jackson St., Suite 420, Topeka, Kansas. These documents are available upon request at the copying cost assessed by KDHE. Application information and components of plans and specifications for all new and expanding swine facilities are available on the Internet at <http://www.kdhe.state.ks.us/feedlots>. Division of Environment offices are open from 8 a.m. to 5 p.m., Monday through Friday, excluding holidays.